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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JAMES PAUL DANIEL ,	)	Case No 1:22-cv-01094-BAM
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
vs.	)	ORDER FOR EXTENSION OF
	)	TIME
KILOLO KIJAKAZI, Acting	)	
Commissioner of Social Security,	)	
Defendant.	)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 11-day extension of time, from April 10, 2023 to April 21 2023, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's third request for an extension of time. Good cause exists for the requested extension. For the weeks of April 10, 2023 and April 17, 2023, Counsel currently has 13 merit briefs, and a reply brief. This includes cases that

undersigned counsel took on during co-counsel's, Dolly M. Trompeter, leave of absence. Additional time is needed to thoroughly brief this matter for the Court.

Counsel for Plaintiff is currently taking partial leave as his child was born on October 14, 2022. Thus, Counsel is working limited hours.

Additionally, Counsel underwent major surgery on March 15, 2023, requiring post-op physical therapy, with the need for several breaks throughout the workday.

Defendant does not oppose the requested extension. Counsel apologizes to the Defendant and Court for any inconvenience this may cause.

Respectfully submitted,

Dated: April 3, 2023

PENA & BROMBERG, ATTORNEYS AT LAW

By: /s/ Jonathan Omar Pena  
JONATHAN OMAR PENA  
Attorneys for Plaintiff

Dated: April 3, 2023

PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE  
Associate General Counsel  
Office of Program Litigation  
Social Security Administration

By: \*/s/Marcelo N. Illarmo  
Marcelo N Illarmo  
Special Assistant United States Attorney  
Attorneys for Defendant  
(\*As authorized by email on April 3, 2023)

**ORDER**

Pursuant to the parties' stipulation, and good cause appearing, Plaintiff's request for an extension of time to file and serve a Motion for Summary Judgment is GRANTED. Plaintiff shall file and serve his Motion for Summary Judgment on or before April 21, 2023. All other deadlines in the Court's Scheduling Order are modified accordingly.

IT IS SO ORDERED.

Dated: April 4, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE